

.....
(Original Signature of Member)

109TH CONGRESS
1ST SESSION

H. R. _____

To amend the Public Health Service Act to provide for human embryonic
stem cell research.

IN THE HOUSE OF REPRESENTATIVES

Mr. CASTLE introduced the following bill; which was referred to the
Committee on _____

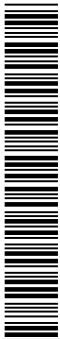
A BILL

To amend the Public Health Service Act to provide for
human embryonic stem cell research.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stem Cell Research
5 Enhancement Act of 2005”.



1 **SEC. 2. HUMAN EMBRYONIC STEM CELL RESEARCH.**

2 Part H of title IV of the Public Health Service Act
3 (42 U.S.C. 289 et seq.) is amended by inserting after sec-
4 tion 498C the following:

5 **“SEC. 498D. HUMAN EMBRYONIC STEM CELL RESEARCH.**

6 “(a) IN GENERAL.—Notwithstanding any other pro-
7 vision of law (including any regulation or guidance), the
8 Secretary shall conduct and support research that utilizes
9 human embryonic stem cells in accordance with this sec-
10 tion (regardless of the date on which the stem cells were
11 derived from a human embryo) .

12 “(b) ETHICAL REQUIREMENTS.—Human embryonic
13 stem cells shall be eligible for use in any research con-
14 ducted or supported by the Secretary if the cells meet each
15 of the following:

16 “(1) The stem cells were derived from human
17 embryos that have been donated from in vitro fer-
18 tilization clinics, were created for the purposes of
19 fertility treatment, and were in excess of the clinical
20 need of the individuals seeking such treatment.

21 “(2) Prior to the consideration of embryo dona-
22 tion and through consultation with the individuals
23 seeking fertility treatment, it was determined that
24 the embryos would never be implanted in a woman
25 and would otherwise be discarded.



1 “(3) The individuals seeking fertility treatment
2 donated the embryos with written informed consent
3 and without receiving any financial or other induce-
4 ments to make the donation.

5 “(c) GUIDELINES.—Not later than 60 days after the
6 date of the enactment of this section, the Secretary, in
7 consultation with the Director of NIH, shall issue final
8 guidelines to carry out this section.

9 “(d) REPORTING REQUIREMENTS.—The Secretary
10 shall annually prepare and submit to the appropriate com-
11 mittees of the Congress a report describing the activities
12 carried out under this section during the preceding fiscal
13 year, and including a description of whether and to what
14 extent research under subsection (a) has been conducted
15 in accordance with this section.”.

